
SO ORDERED,




Judge Jason D. Woodard
United States Bankruptcy Judge

The Order of the Court is set forth below. The case docket reflects the date entered.

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI

IN RE: DAVID GENE DOOLE

CHAPTER 7

DEBTOR

CASE NO. 21-10861 JDW

ORDER AVOIDING JUDICIAL LIEN [DKT. NO. 26]

THIS MATTER came before the Court on the motion of Debtor's Motion to Avoid Judicial Lien of **Silver Cup Funding, LLC** (the "Creditor") pursuant to 11 U.S.C. § 522 (f) and Federal Rules of Bankruptcy Procedure 4003(d) and 9014 (the "Motion")(Dkt. No. 26). The Debtor has represented to the Court that all parties in interest were timely served with the Motion, and no party has objected to the relief requested in the Motion by the deadline set by the Court. Based on the Debtor's representations, the Court finds and concludes as follows:

1. The Debtor exempted his homestead real property, as well as certain personal property, all as listed on Scheduled C filed by the Debtor in this bankruptcy case.
2. The Creditor recorded a judicial lien against Debtor's property on March 15, 2021, as follows:

Location of Judgment Rolls: Ontario County Court, State of New York
Index Number: 127675-2020
Date of Rendition: March 10, 2021
Amount: \$24,129.10 plus costs and interest

3. The Existence of the Creditor's lien against the Debtor's property impairs exemptions to which the Debtor would be entitled under Title 85, Chapter 3 of the Mississippi Code and 11 U.S.C. § 522(d). Accordingly, it is hereby

ORDERED, ADJUDGED AND DECREED that

1. The Motion is **GRANTED**.
2. To the extent the Debtor's exemptions, the judicial lien held by the Creditor as set forth is **VOIDED** and shall not survive bankruptcy, affix to, or remain enforceable against the Debtor's exempt property, unless the case is dismissed prior to the entry of the Debtor's discharge.
3. A copy of the Order of Discharge is to accompany any recordation of this Order.
4. To the extent the Creditor's lien has been avoided, the Creditor shall be treated as a general unsecured creditor in this case.

#ENDOFORDER#

SUBMITTED BY:

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